



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

) Group Art Unit: 1771

Daniel H. Katsin)

) Examiner: Befumo, Jenna Leigh

Application No. 10/672,978)

) **RULE 131 DECLARATION OF DANIELH.**

Filing Date: September 27, 2003)

) **KATSIN CONCERNING DATE OF**
) **INVENTION**

For: ENGINEERED TOWELING)

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being mailed to the
Patent and Trademark Office on this date July 16, 2007
addressed to: Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

By: _____

Michael E. Dergosits

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. I am the named inventor on the present patent application. I submit this declaration in response to the citation of the Goldberg et al. reference (US Pat. Pub. No. 2005/0044650 A1) ("Goldberg") in the Patent Office Action dated March 22, 2007. I submit this declaration in order to establish that prior to the August 29, 2003 filing date of Goldberg's patent application, I had conceived and reduced to practice the inventions set forth in the claims pending in the present application. It is not my intention to establish the earliest possible date of conception and the earliest possible date of reduction to practice. This declaration merely establishes that I conceived the present invention and reduced it to practice *no later than* July 7, 2003.

2. On February 19, 2003, I filed U.S. Pat. Appl. No. 10/370,881 (published as 2004/0159334 A1.) This application is entitled Cleaning Tool for Mechanical Parts. It is directed towards a towel-type product that is useful for cleaning a mechanical component with a void space such as e.g., a chain ring of a bicycle. The cleaning tool includes a planar backing layer made of a resilient material, with a woven layer attached to the backing layer to form a laminate. The laminate is then configured to address the target void space. Claim 8 refers to the

woven layer being made of split microfiber. This patent publication is attached as Exhibit A. This document shows that in February 2003, I was working with composite fabric structures where one of the layers was a split microfiber, such as is claimed in the present application.

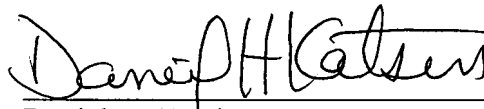
3. On February 19, 2003, I filed U.S. Pat. Appl. No. 10/370,682 (published as 2004/0159331 A1.) This application is entitled Cleaning Tool for Mechanical Components. It is directed towards a threadable towel-type product that is useful for cleaning a mechanical component with a void space such as e.g., a chain ring of a bicycle. The cleaning tool includes an elongated flexible member that is preferably made from a woven material such as, e.g., split microfiber. See Paragraph 0011 of the patent publication attached as Exhibit B. This document shows that in February 2003, I was working with a variety of composite fabric structures where one of the layers was a split microfiber, such as is claimed in the present application.

4. I have attached as Exhibit C a copy of a letter that I sent to Terry Schaefer on May 22, 2003. Since this is my file copy, rather than a copy of the original as received by Mr. Schaefer, this letter does not have a date received stamp. This letter was prepared to enclose in a package that I was sending to Mr. Schaefer for a meeting that he was going to have in Los Angeles later that week. As can be seen from the letter, it was a letter covering the delivery of four prototype products for Mr. Schaefer to use at his meeting. At least one of the products, the Extreme Chamois is a product that was made according to the invention described and claimed in the present patent application. This towel product for drying and/or wiping surfaces had three layers, the outer layers were split microfiber with furrows and channels made in sheets to simulate terry cloth; the middle layer was also a split microfiber fabric with moisture-absorbent qualities. Exhibit C also describes the sewing pattern for the "Extreme Chamois." The sewing pattern described in Exhibit C corresponds to the coupler means limitation of claim 13, last limitation of the present application. Thus, as early as May 22, 2003, I had identified a towel structure as set forth in the presently pending patent claims, and had one built to my specifications and shipped to Mr. Schaefer.

5. Attached as Exhibit D is a redacted copy of a June 16, 2003 hand delivered letter and enclosures that I provided to my patent counsel Michael Dergosits. I have redacted out the portions of the letter that relate to attorney-client communications. In that letter and enclosure, at page 4, I described the Extreme Chamois embodiment as having three layers, the outer layers being a polyester/nylon split microfiber material with furrows and channels and the center being described as an absorbent material made from split microfibers with furrows and channels. Attachment 1 shows the sewing pattern for the Extreme Chamois product and the stitching corresponds to the coupling means set forth in the currently pending claims. In fact, the drawing in Attachment I is the same as the drawing in Figure 5 of the present application. I also attached fabric swatches to the original Exhibit D that included the chamois fabric and the absorbent layer. Thus, as early as June 16, 2003, I had already conceived of and created an actual towel product having at least three split microfiber layers that were sewn together using a quilting like stitching pattern.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18, U.S.C. and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 7.11.07



Daniel H. Katsin

Address correspondence to:

Michael E. Dergosits
DERGOSITS & NOAH LLP
Four Embarcadero Center, Suite 1450
San Francisco, California 94111
(415) 705-6377

Attorney Docket No. 602.06